

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



Policy Number:
422-10

Effective Date:
08/14/2018

Subject:
Breastfeeding

Approved by:

A handwritten signature in black ink, appearing to read "S.D. Hebbe".

Steven D. Hebbe, Chief of Police



PURPOSE:

To establish guidelines concerning breastfeeding and breast milk expression for all employees.

POLICY:

The Farmington Police Department recognizes a diverse workforce is a valuable asset and that trained and experienced female police officers and civilian employees are a critical resource. The Farmington Police Department values the health and welfare of its employees. Furthermore, the Farmington Police Department recognizes the health benefits of breastfeeding and supports accommodation of employees who choose to utilize their own breast pump to express milk.

This policy is designed to be consistent with the City of Farmington policies, New Mexico state law (specifically NMSA 1978, Section 28-20-1 and Section 28-20-2), and federal law (specifically Section 7 of the Fair Labor Standards Act ("FLSA")). This policy is not intended to interfere with or diminish any rights or privileges to which an employee may be entitled under federal, state or local law or any other departmental policy.

Pursuant to federal and state law, the Department will provide reasonable and flexible break times for an employee to express breast milk for their nursing child each time such employee has need to express milk. The Department recognizes that the frequency of breaks needed to express milk as well as the duration of each break will likely vary.

The Department will also provide a place for the nursing employee to express breast milk near the employee's workspace that is clean and private. This space will be shielded from the view of, and free from intrusion from, coworkers and the public. This place will not be a bathroom. One place the nursing employee can utilize is the Mothers' Room.

The location provided by the Department will be a functional space for expressing breast milk. If the space provided by the Department is not dedicated to the nursing employee's use, it will be made available when needed by the nursing employee.

The Department is not required to and will not compensate nursing employees for breaks taken for the purpose of expressing milk beyond those breaks that are already compensated for all employees. When the nursing employee is expressing milk, in accordance with the FLSA, the employee will be completely relieved from duty or being reimbursed.

Therefore, should the nursing employee decide to breastfeed her child while at work, she may do so in any location, public or private, where the nursing employee is otherwise authorized to be present. However, given the possibility of arrestees and detainees being near work areas it is strongly encouraged to use the designated room.

PROCEDURE:

The following applies to all new nursing employees in the Department regardless of rank and position:

1. Department employees who return back to work after the delivery of their child shall notify their direct supervisor as early as possible if it is the employee's intention to continue breastfeeding and/or breast milk expression. If possible, at least two weeks' advance notice should be provided by the nursing employee to allow the Department time for any necessary arrangements to be made. In all cases whether the employee chooses to continue breastfeeding and/or breast milk expression after returning to duty, the employee shall complete a [Return to Work Breastfeeding Form](#).
2. The nursing employee's supervisor shall provide reasonable breaks to allow the nursing employee to breastfeed and/or express breast milk in accordance with federal and state laws and City of Farmington and Farmington Police Department policies. The employee shall check in and out with their supervisor for this purpose. The supervisor shall treat this information as confidential. Any time needed for this activity beyond those breaks that are already compensated for all employees will need to be coordinated with the employee's supervisor and made up or reimbursed with the employee's benefit time to acquire the 40 hours required per work week.
3. The nursing employee will be provided access to the Mothers' Room as a place to express milk that meets the requirements of federal and state law. The Department will work with the nursing employee to provide an alternate location(s) should the Mothers' Room not be near the nursing employee's workspace.
3. It is the responsibility of the nursing employee to contact the Farmington Police Department Building and Maintenance personnel in order to receive a key to the "Mothers' Room" if they wish to use it. The employee will be issued the key and shall return it after a period of no longer than one year. This time period can be renewed following the initial year if needed.

Mothers' Room

The Farmington Police Department "Mothers' Room" is located on the bottom level of the Detective Building near the south entrance. It is clearly marked with a sign near the door. The room can only be accessed with a set of controlled keys and is available 24 hours a day for use. The room is equipped with a comfortable chair, table, electrical outlets that can be used to power breast pumps or other needed equipment, and nearby access to running water. A designated refrigerator will be located inside the room for the storage of milk, but employees shall provide their own containers that are clearly labeled with the employee name as needed. Employees are cautioned to utilize the refrigerator at their own risk. The department is not liable for any loss of, or quality being compromised and/or jeopardized of breast milk, from refrigerator due to malfunctions, temperature fluctuations, or power failures of the refrigerator. Cleaning of equipment, the refrigerator, and cleaning supplies are the responsibility of the individual employee utilizing the room at any specific time.

The room is equipped with a sign near the door showing its designation as the Mothers' Room. The sign will have a feature allowing the employee to show the room is unoccupied or in use. To ensure the privacy of the employee, the room is equipped with both a keyed door lock and a latch style locking mechanism on the inside. If more than one breastfeeding employee will need the space, the nursing employees can develop a room-use schedule.